

Eight days after Mr. Comey's firing, Trump appointee and Deputy Attorney General Rod Rosenstein appointed Robert Mueller to oversee the investigation into "any links and/or coordination between the Russian government and individuals associated with the campaign of President Donald Trump" and "any matters that arose or may arise directly from the investigation."

His appointment reassured Americans that there will be a full and thorough law enforcement investigation. The announcement was met with support on both sides of the aisle and received nearly universal praise. In fact, many of the same people who are attacking him today praised Mr. Mueller's appointment just months ago.

Indeed, there is much to praise. The fact is, Robert Mueller has impeccable credentials as a man of the law. He has assembled a team that includes some of the Nation's best investigators, and he is leading the investigation with the professionalism it deserves.

Mr. Mueller is a dedicated Vietnam war veteran and a lifelong Republican, appointed to his current role by Deputy Attorney General Rod Rosenstein, also a Republican. In fact, all of the major players to date in this investigation—former Director Comey, current FBI Director Rosenstein, and even Attorney General Sessions, who has had to recuse himself—are all Republicans. The charges that some have made that somehow Democratic political bias has crept into this investigation are baseless, given the makeup of the leadership team.

In recent weeks, much has been made of some political opinions expressed by an FBI agent during the election last year. This specious line of argument conveniently ignores the fact that as soon as Mr. Mueller learned about those comments, he immediately removed that agent in question from the investigation. If anything, this incident only adds to Mr. Mueller's credibility as a fair and independent investigator.

I stand here as the vice chairman of the Senate Intelligence Committee. We are in the midst of our own investigation into Russian incursion, and I am proud of the way Chairman BURR and our committee has taken on this very difficult task.

We have made tremendous progress uncovering the facts of Russian interference in our elections. Our committee's work helped expose the dark underbelly of disinformation on many of our social media platforms. We have successfully pressed for the full accounting of Russian cyber efforts to target our State electoral systems, and, despite the initial denials of any Russian contacts during the election, this committee's efforts have helped uncover numerous and troubling high-level engagements between the Trump campaign and Russian affiliates, many of which have only been revealed in recent months.

We have a lot of work to do. Our committee has gone out of its way to ensure continued bipartisan backing for this effort, and I am committed to seeing the effort through. However, it should be very clear that our committee cannot and will not stand as a substitute for Mr. Mueller's investigation.

As Chairman BURR and I have noted on numerous occasions, the FBI is responsible for determining any criminal activities related to this inquiry. As such, Mueller has already moved to indict two individuals and has negotiated two additional guilty pleas. This was an investigative path reserved solely for law enforcement, and it is essential that it be permitted to go on unimpeded.

The country no doubt remains severely divided on the question of the last election. However, the national security threat facing us today should demand that we rise above partisan differences. No matter the political divide, surely each of us—and all Americans—should want to know the truth of what happened during last year's election, and, no doubt, we want to know that as quickly as possible.

The President has long called the investigation into Russian meddling into the 2016 election a witch hunt, and he has done much to discredit the intelligence community's unanimous assessment of Russian interference in our election. The failure of this White House to lead a whole-of-government approach to prevent this type of election interference in the future—either by the Russians or some other adversary—defies understanding. The President's refusal to accept the intelligence community's assessment and his blatant disregard for ensuring that Russia never again infiltrates our election process has been unnerving and cause for significant concern.

In recent days, the President has said he is not considering removing Special Counsel Mueller, but the President's track record on this front is a source of concern. I am certain most of my colleagues believed he wouldn't fire Jim Comey either.

Firing Mr. Mueller, or any other of the top brass involved in this investigation, would not only call into question this administration's commitment to the truth but also to our most basic concept, the rule of law. It also has the potential to provoke a constitutional crisis.

In the United States of America, no one—no one—is above the law, not even the President. Congress must make clear to the President that firing the special counsel or interfering with his investigation by issuing pardons of essential witnesses is unacceptable and would have immediate and significant consequences.

I hope my concerns are unfounded—in many ways, I had hoped I would never have to make this kind of speech—but there are troubling signs. It is critical that all of us, as elected

officials and as citizens, speak out against these threats now before it is too late.

Thank you.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The bill clerk proceeded to call the roll.

Mr. FRANKEN. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

TELECOMMUNICATIONS AND TECHNOLOGY COMPANIES AND CONSUMER PROTECTION

Mr. FRANKEN. Mr. President, I rise to deliver the second in a series of floor speeches that I offer as I close out my time in the Senate.

This afternoon, I want to talk about Americans' relationship with telecommunications and technology companies and what that means for their access to essential services and for their privacy.

When I entered the Senate in July of 2009, then-Majority Leader Harry Reid asked me to serve on the Judiciary Committee. I pointed out that there are a lot of lawyers in the Senate and that I wasn't one of them, but he said he needed Members with my perspective on the committee. I wondered how my background could possibly serve me on Judiciary, but it did—almost immediately—when in December of that year, Comcast announced its intention to acquire NBCUniversal.

I happened to know a lot about the effects of media consolidation because I used to work in media. When powerful corporations are permitted to acquire other powerful corporations, it is the American consumers who are left facing higher prices, fewer choices, and even worse service from their telecommunications providers. I questioned why an already powerful company should be allowed to get even bigger and thus extract more leverage over consumers and the businesses reliant on its platform.

It was through my work on Comcast and NBCUniversal that I learned about the rising costs of internet, phone, and TV services, as well as the importance of preserving net neutrality. I also became interested in how giant telecommunications companies, as well as ever-evolving tech companies, were treating the massive troves of user data they were collecting on a perpetual basis.

I believe consumers have a fundamental right to know what information is being collected about them. I believe they have a right to decide whether they want to share that information and with whom they want to share it and when. I believe consumers have a right to expect that companies that store their personal information will store it securely.

I also believe all Americans deserve affordable access to high-quality telecommunications services—services they depend on to communicate with the world, get an education, and find a job. I believe the internet should remain the open platform for innovation, economic growth, and freedom of expression it has always been.

Perhaps it was the complex nature of these issues or even the financial incentive to turn a blind eye, but when I came to the Senate, very few Members of Congress were talking about corporate consolidation, commercial privacy, or net neutrality—issues that have gained much deserved attention in more recent years. Whatever the reason for other Members' hesitance, I felt it was incumbent upon me to get into the weeds on these issues so I could be a leader in the Senate and ultimately address the concerns of ordinary Minnesotans.

That is why, when the interests of the American consumers have clashed with the desires of powerful telecommunications and technology companies, I have always tried to put the public first and to fight on their behalf by shedding light on corporate abuses and using all the tools at my disposal to curb them.

Again, it is through my work on the Judiciary Committee—and, more specifically, my work on media and technology policy—that I believe my perspective from my previous career has been of most value.

Comcast's proposal to acquire NBCU immediately made me uncomfortable because I had seen their motives for this deal before. In 1993, during my 13th season at "Saturday Night Live," the Big Three networks—NBC, CBS, and ABC—pressured Congress to change the rules that had previously prevented them from owning any of the shows they aired in prime time. The purpose of the rules had been to prevent the networks from prioritizing their own shows over others or otherwise harming competing programming.

Unsurprisingly, after the rules were repealed, the networks—contrary to their guarantees and assurances they had given Congress—began giving the shows they owned preferential treatment. At the time, "Seinfeld," which aired on NBC, was not owned by NBC and had been produced before the rules had changed—was the No. 1 show on television, which made the Thursday night timeslot following "Seinfeld" the most valuable real estate on television. I watched as shows that eventually wound up in that premium location were all owned, at least in part, by NBC.

So when I became a Senator, one of the first major deals I opposed was Comcast's acquisition of NBCUniversal. As in the case of AT&T's current bid to buy Time Warner, this deal was about giving one company the ability to control both the programming and the pipes that carry it. I knew from my time in media

that a combined Comcast-NBCUniversal would have strong incentives to favor its own programming over that of others and restrict competing distributors from accessing that programming. I knew these incentives would hurt competing content creators, inhibit the free flow of information, and ultimately harm consumers.

Unfortunately, I was not wrong. In the years after its acquisition of NBCUniversal, Comcast repeatedly violated the terms of its agreements with the FCC and the Department of Justice, favoring its own news programming over its competitors in Comcast's channel lineup and failing to live up to its promises regarding offering affordable standalone broadband, racial diversity in programming—they did not live up to their promises there—and online video distribution. Because merger conditions are extremely difficult and costly to enforce, competition and consumers were harmed in the process.

Comcast's behavior in the wake of acquiring NBCUniversal was one of the major reasons I then opposed its proposal to turn around and buy Time Warner Cable a couple years later. It was also one of the major reasons I believe that later deal was ultimately dropped after objections from the FCC and the Department of Justice.

For a long time in the Senate, it was a lonely battle. For over a year, I was the only Senator to oppose Comcast's proposals to buy Time Warner Cable—a deal that would have given the combined company 57 percent of the broadband market—but advocates and ordinary citizens raised their voices, and together we were able to stop the deal.

Most recently, I have led my colleagues in scrutinizing AT&T's proposed acquisition of Time Warner, and I have once again called on regulators to move to block the deal for the inevitable harm it will cause to competition and consumers.

I have been proud to lead these efforts, and I leave here in a much different environment than when I arrived. I know there are strong voices in the Senate that will carry on the fight when I am gone.

These efforts to slow down and halt media consolidation are part of a very important, larger development we have seen in our country. In recent years, there has been a resurgence in the American public's—and, in turn, Congress's—interest in combating corporate consolidation.

When I first entered the Senate, I wasn't sure most Americans understood what was at stake when these powerful companies wanted to combine. Vertical integration and anti-trust laws sounded like obscure, almost boring, topics, but more and more Americans are getting educated about these issues, and more and more Members of Congress are working to get Washington focused on how they affect the lives of real people.

Just look at the fight for net neutrality. For many of the same reasons that I opposed Comcast's acquisition of NBCUniversal, I have long supported strong net neutrality rules to ensure that the internet remains a level playing field where everyone can participate on equal footing, free from discrimination by large internet service providers like Comcast, Verizon, and AT&T.

Net neutrality preserves the internet as the engine for innovation that it has always been and allows businesses of all sizes to thrive—even when they are up against the largest, most profitable corporations. Here is just one example I found useful in explaining net neutrality:

In 2005, three guys set up shop over a pizzeria in a strip mall in San Mateo, CA, where they launched the now-ubiquitous YouTube. Video-sharing websites were in their infancy, but these guys already faced competition from something that preceded it called Google Video, but Google Video wasn't very good. Because of net neutrality, YouTube was able to compete with Google Video on a level playing field. The giant internet service providers treated YouTube's videos the same as they did Google's, and Google couldn't pay them to gain an unfair advantage, like a fast lane into consumer homes.

They were treated the same, neutrally. The content was neutral—net neutrality. People really liked YouTube. They preferred YouTube to Google Video, and YouTube thrived. In fact, in 2006, Google bought it for stock valued at \$1.65 billion. That is a nice chunk for three guys over a pizzeria in San Mateo.

It is not just tech companies and small businesses that rely on open internet. In a submission to the FCC in 2014, a coalition that includes Visa, Bank of America, UPS, and Ford explained that "every retailer with an online catalogue, every manufacturer with online product specifications, every insurance company with online claims processing, every bank offering online account management, every company with a website—every business in America interacting with its customers online is dependent upon an open Internet." I have repeated this quote on the floor and at rallies time and time again over the years because I think it perfectly exemplifies the importance of this issue.

Preserving net neutrality is only controversial for the few deep-pocketed entities that stand to financially gain without it.

If FCC Chairman Pai ultimately has his way, we will be entering a digital world where the powerful outrank the majority, a world where a handful of multibillion-dollar companies have the power to control how users get their information, and a world where the deepest pockets can pay for a fast lane while their competitors stall in the slow lane.

For nearly 9 years, I have been calling net neutrality the free speech issue

of our time because it embraces our most basic constitutional freedoms. And ironically, the kind of civic participation that has aspired so many of us in recent months—and has effected real change, like in the fight for net neutrality and the successful efforts to save the Affordable Care Act—has depended in no small part on a free and open internet.

In 2015, the FCC's vote to reclassify broadband providers as common carriers under title II of the Communications Act didn't just mean good things for net neutrality; it also had important implications for consumer privacy. It gave the agency the authority and the responsibility to implement rules to protect Americans' privacy by giving consumers greater control of their personal data that is collected and used by their broadband providers. That was a big win. Republicans didn't see it that way. One of the first things they did this Congress was to repeal those rules, which was a huge blow to Americans' right to privacy.

For my part, I have long believed that Americans have a fundamental right to privacy. I believe they deserve both transparency and accountability from the companies that have the capacity to trade on the details of their lives. And should they choose to leave personal information in the hands of those companies, they certainly deserve to know that their information is being safeguarded to the greatest degree possible. This transparency and accountability should come from all the companies that have access to Americans' sensitive information. This includes internet service providers like Comcast and AT&T but also edge providers like Google, Facebook, and Amazon.

In 2011, I served as chair for the inaugural hearing of the Judiciary Subcommittee on Privacy, Technology and the Law—a subcommittee that I founded after it became abundantly clear that our Nation's privacy laws had failed to keep pace with rapidly evolving technologies.

When people talked about protecting their privacy when I was growing up, they were talking about protecting it from the government. They talked about unreasonable searches and seizures, about keeping the government out of their bedrooms. They talked about whether the government was trying to keep tabs on the books they read or the rallies they attended. Over the last 40 or 50 years, we have seen a fundamental shift in who has our information and what they are doing with it. That is not to say that we still shouldn't be worried about protecting ourselves from government abuses, but now we also have relationships with large corporations that are obtaining, storing, sharing and in many cases selling enormous amounts of our personal information.

When the Constitution was written, the Founders had no way of anticipating the new technologies that would

evolve in the coming centuries. They had no way of anticipating the telephone, for example, and so the Supreme Court ruled over 40 years ago that a wiretap constitutes a search under the Fourth Amendment. The Founders had no idea that one day the police would be able to remotely track your movements through a GPS device, and so the Supreme Court ruled in 2012 that this was also a search that required court approval. All of this is a good thing. Our laws need to reflect the evolution of technology and changing expectations of American society. This is why the Constitution is often called a living document. But we have a long way to go to get to the point where our modern laws are in line with modern technology.

My goal for the subcommittee was to help members understand both the benefits and privacy implications of emerging technologies; to educate the public and raise awareness about how their data is being collected, used, and shared; and, if necessary, to legislate to fill gaps in the law. When politics prevented legislation, I repeatedly pressed companies—many of them more than once—to be more transparent about how they were treating their customers' private information, including users' location data, web-browsing histories, and even their finger and face prints.

As consumer awareness has evolved, these companies have taken important steps to improve transparency of their use of Americans' personal information. But unfortunately, accumulating massive troves of information isn't just a side project they can choose to halt at any given time; for many of them, it is their whole business model. We are not their customers; we are their product.

Recently, we have seen just how scary this business model can be. In October of this year, the Judiciary Committee examined Russia's manipulation of social media during the 2016 campaign, and both the public and Members of Congress were shocked to learn the outsized role that the major tech companies play in so many aspects of our lives, based primarily on the mass collection of personal information and complex algorithms that are shrouded in secrecy. Not only do these companies guide what we see, read, and buy on a regular basis, but their dominance—specifically in the market of information—now requires that we consider their role in the integrity of our democracy. Unfortunately, this fall's hearings demonstrated that they may not be up to the challenge that they have created for themselves.

The size of these companies is not—in isolation—the problem, but I am extremely concerned about these platforms' use of Americans' personal information to further solidify their market power and consequently extract unfair conditions from the content creators and innovators who rely on their

platforms to reach consumers. As has become alarmingly clear in recent months, companies like Google, Facebook, and Amazon have unprecedented power to guide Americans' access to information and potentially shape the future of journalism. It should go without saying that such power comes with great responsibility.

Everyone is currently and rightfully focused on Russian manipulation of social media, but as lawmakers, it is incumbent upon us to ask the broader questions: How did big tech come to control so many aspects of our lives? How is it using our personal information to strengthen its reach and its bottom line? Are these companies engaging in anticompetitive behavior that restricts the free flow of information in commerce? Are they failing to take simple precautions to respect our privacy and to protect our democracy? And finally, what role should these companies play in our lives, and how do we ensure transparency and accountability from them going forward?

Modern technology has fundamentally altered the way we live our lives, and it has given us extraordinary benefits. As these companies continue to grow and evolve, challenges like those we have recently confronted in the Judiciary Committee will only grow and evolve with them. So we must now muster the will to meaningfully address the tough questions related to competition, privacy, and ultimately the integrity of our democracy.

I will not be here to ask those questions. I will do what I can to find the answers from the outside, but it is my colleagues in the Senate who must prioritize them going forward. There is simply too much at stake. I know that they will do so with the help of a tireless advocacy community and the brilliant minds who have long contemplated these incredibly complex issues and ensured that lawmakers pay attention. And more importantly, they will do so with the support and encouragement of the American people.

I have witnessed significant highs and significant lows in the fight to protect consumers' rights, but the most important lesson I have learned along the way is that ordinary Americans can wield extraordinary power when they raise their voices. For this reason and despite significant setbacks in recent months, I know that it is the public's interests that can ultimately prevail.

Mr. President, I suggest the absence of a quorum.

The PRESIDING OFFICER (Mr. LEE). The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SANDERS. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

REPUBLICAN TAX BILL AND ADDRESSING THE NEEDS OF THE MIDDLE CLASS

Mr. SANDERS. Mr. President, I understand that my Republican colleagues and President Trump are busy celebrating the passage of the tax bill that was voted on at 1:30 in the morning. They are very excited, and they are very happy about it. I understand that. I guess, if one is a billionaire like President Trump or is a wealthy campaign contributor, you do have a whole lot to celebrate. Maybe, if you are 1 of the 6,000 lobbyists here in Washington, DC, who helped to write the bill, you are celebrating a lot today. Yet, if you are one of the vast majority of the American people who is in the middle class, you should not be celebrating today. In fact, you should be pretty nervous.

The passage of this legislation marks a great victory for the Koch brothers and other wealthy campaign contributors who will see, at a time of massive income and wealth inequality, huge tax breaks for themselves. In other words, the wealthiest people will become much wealthier. Meanwhile, the deficit—what is owed by our kids and our grandchildren—will increase by \$1.5 trillion as a result of this bill. The largest and most profitable corporations—companies like Apple, Microsoft, Pfizer, and General Electric—despite record breaking profits, are going to see very, very large tax breaks to the tune of many billions of dollars.

Now, at a time when the very wealthy are becoming much richer, tens of millions of American families are struggling to keep their heads above water economically. There are 40 million Americans who are living in poverty. The nonpartisan Tax Policy Center tells us that in terms of this legislation, 83 percent of the tax benefits will go to the top 1 percent by the end of the decade, who are already doing phenomenally well, and that 60 percent of the benefits will go to the top one-tenth of 1 percent. Meanwhile, at the end of 10 years, some 92 million middle-class households will be paying more in taxes.

On top of all of that, as the only Nation—major country—on Earth not to guarantee healthcare to all people, this bill will result in 13 million Americans losing their health insurance. I understand the President was really excited about this. Hey, what a great day. There are 13 million more Americans who are losing their health insurance when we are the only major country on Earth not to guarantee healthcare to all people.

In the ending of the individual mandate, what all of the experts tell us is that our healthcare premiums will go up. If you are an average person out there, your healthcare premiums will very likely go up as a result of this legislation. Meanwhile, starting next year—I am not talking about 10 years from now—some 8 million middle-class families will pay more in taxes.

Doesn't it say a lot about Republican priorities when they make permanent the tax breaks for corporations; yet they make temporary the tax breaks for working families, which will expire in 8 years?

Furthermore, I would hope that every American is listening closely to what Speaker of the House PAUL RYAN is talking about. I have to give RYAN credit for being pretty honest about the intentions of the Republican Party. Just this morning, he was on ABC, saying what he has said for quite a while, and that is that the Republican plan is a two-step approach. Step No. 1 is passing the legislation that passed last night here and today in the House. Step No. 2 is, having run up a deficit of \$1.5 trillion, they are now going to come back and offset that deficit by making massive cuts to Social Security, Medicare, and Medicaid.

According to RYAN, they have a two-step program. Step No. 1 is to give massive tax breaks to the rich and large corporations and to run up the deficit by \$1.5 trillion. Step No. 2 is to offset that deficit by cutting Social Security, Medicare, and Medicaid.

How unspeakable and outrageous is this plan? How much does it go against what the American people want? This gives huge tax breaks to billionaires—to the Trump family, to the Koch brothers—and then pays for those tax breaks by cutting Social Security, Medicare, and Medicaid.

There are millions of senior citizens and people with disabilities in Vermont and all across this country who, today, are struggling to buy food, to heat their homes, and to buy the prescription drugs that they need because they are trying to survive on \$12,000, \$13,000, \$14,000 a year in Social Security. There are people who have worked their entire lives and have exhausted themselves as they approach retirement. Do not tell those people who live on \$12,000, \$13,000 a year in Social Security that you are going to cut their benefits through a Chained CPI or by some other mechanism in order to give tax breaks to billionaires. How outrageous that would be.

Don't tell older workers—many of them with health problems after their having worked 20, 30, 40 years—that you are going to give billions of dollars in tax breaks to Microsoft, Pfizer, or General Electric, but then you are going to ask them to work more years in order to be eligible for Medicare.

I understand that every Member of the Congress would like to go home for the holiday season, and so would I. This is the time of year during which Vermont is very, very beautiful. The truth is that it would really be unconscionable for us to leave Washington after giving tax breaks to billionaires and large corporations while we ignore the enormous problems that are facing the middle class and working families of our country.

When Donald Trump ended the Deferred Action for Childhood Arrivals

Program, the DACA Program, nearly 800,000 lives were thrown into chaos and uncertainty. Without the legal protections afforded by the DACA Program, hundreds of thousands of young people today are living in terrible fear and anxiety about losing the legal status they currently have in the only country they have ever known. These are young people who grew up in the United States, went to school in the United States, are working in the United States, and are in our military. This is their home. It would be unspeakable to take away their legal status and subject them to deportation.

Since the President's announcement in September, more than 11,000 people have already lost their protections under DACA, with approximately 22,000 set to lose their legal protections by the March 5, 2018, deadline. These are hundreds of thousands of wonderful young people. We cannot turn our backs on them. We must deal with DACA before we leave for the holiday break. Any end-of-the-year spending agreement must address the fear and uncertainty caused by the administration's reckless actions, and a clean Dream Act must be signed into law.

This is not just what BERNIE SANDERS wants; this is what the American people in overwhelming numbers want. A Quinnipiac poll came out just the other day in which 77 percent of the American people supported maintaining legal status for these young people and allowing them to move forward toward citizenship—77 percent—and that is consistent with other polls that have been taken. A vast majority of Democrats, Republicans, and Independents understand that it would be incredibly cruel and harmful to our country in so many ways to deny legal status to the Dreamers. We cannot turn our backs on the Dreamers. We must address their crisis right now.

It has been almost 3 months since funding for community health centers has lapsed. Our Nation's 1,400 community health centers serve more than 27 million people in roughly 10,000 communities throughout the country. In my home State of Vermont, one out of four Vermonters gets their primary healthcare, dental care, low-cost prescription drugs, and mental health counseling at a community health center.

How does it happen that the Republican leadership can spend months on a bill to give tax breaks to billionaires but not address the lack of funding, the reauthorization of the Community Health Centers Program or the Children's Health Insurance Program, which provides healthcare to 9 million children?

In this country, there are 1.5 million workers and retirees in multi-employer pension plans who could see the pensions that they worked for over their entire lives cut by up to 60 percent. People were promised these pensions a few years ago, and in a disastrous act, Congress took away that promise, and